

REMARKS

Claims 1-20 were pending in this application. Claim 5 is cancelled. Claims 1, 6, 7 and 19 are amended. No new claims have been added. No new subject matter is believed to have been added by these amendments. Therefore, claims 1-4 and 6-20 remain in this application.

The Examiner has acknowledged that claims 9-20 are directed to allowable subject matter. The Examiner has also acknowledged that claims 5 and 6 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, claim 1 has been amended to incorporate the limitations of cancelled claim 5, namely, that the contact parts of the pair of legs are defined with a pair of insertion grooves, respectively, which are aligned with each other. Claim 6 has been amended to depend from claim 1, as the previous intervening claim 5 from which claim 6 depended from has now been cancelled. Claims 7 and 19 have been amended to delete the reference to the band-shaped segment, which the Examiner has indicated is not depicted in the drawings.

Drawing Objections

The drawings stand objected to because the band-shaped segment which extends perpendicular to the direction of travel of a moving vehicle (as claimed in claims 7 and 19) are not shown. The Applicant has cancelled this limitation from dependent claims 7 and 19 and, therefore, believes the aforementioned objection is overcome. Reconsideration of this objection is respectfully requested.

Claim Objections

Claims 1-8 and 19 stand objected to for informalities. The Examiner asserts that claim 1 omits essential elements in that the "weight measuring structure" has no element recited which senses weight. The Applicant believes that this assertion is incorrect because the functionality of the "weight measuring structure" is provided by the claimed arrangement of the recited elements. In any case, the Applicant has amended the preamble of claim 1 by deleting the term "vehicle weight measuring".

With respect to claim 10, the Examiner asserts that there is no description of an embodiment utilizing a capacitive sensor or a strain gauge sensor, and that there is no description of an embodiment of how the capacitive sensor or strain gauge sensor are mounted on the load cell. However, Paragraph 33 of the specification clearly describes an embodiment utilizing a sensor (shown in FIGS. 2, 3a, 4 and 5). Also, as recited in claim 10 and discussed in Paragraph 33, the sensor is selected from a group consisting of a strain gauge, a load cell, a capacitive sensor and an optical fiber sensor. No claim is directed to mounting any sensor to the load cell, as the load cell is a sensor in and of itself. Reconsideration of these objections is respectfully requested.

35 U.S.C. § 102 Rejections

Claims 1-4, 7 and 8 stand rejected under 35 U.S.C. § 102(b) for anticipation by U.S. Patent No. 4,744,254 to Barten. In light of incorporating the limitations of allowed claim 5 into independent claim 1, the Applicant believes the rejection directed to independent claim 1 has been overcome. Claims 2-4 and 7-8 depends from and add further limitations to amended independent claim 1 and are believed to be patentable for the reasons discussed hereinabove in connection with amended independent claim 1. Reconsideration of the rejections of claims 1-4, 7 and 8 is respectfully requested.

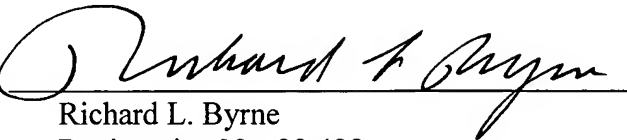
Application No.: 10/633,968
Paper Dated: October 14, 2005
In Reply to USPTO Correspondence of June 14, 2005
Attorney Docket No.: 4366-031461

CONCLUSION

Based on the foregoing amendments and remarks, reconsideration of the rejections and allowance of pending claims 1-4 and 6-20 are respectfully requested.

Respectfully submitted,

THE WEBB LAW FIRM

By 

Richard L. Byrne
Registration No. 28,498
Attorney for Applicant
700 Koppers Building
436 Seventh Avenue
Pittsburgh, Pennsylvania 15219-1845
Telephone: 412-471-8815
Facsimile: 412-471-4094
E-mail: webblaw@webblaw.com